

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/517,721	ERTEL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	SAI-MING CHAN	2416	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/18/2008.
2. ☒ The allowed claim(s) is/are 1,4-9 and 12-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>3/24/2009</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                     |
|  | 9. <input type="checkbox"/> Other _____.  |

/Brenda Pham/  
Primary Examiner, Art Unit 2416

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sidney Weatherford on 3/24/2008.

The application has been amended as follows:

Claims:

#### **Listing of Claims:**

1. (Currently Amended) A method, in a communication network, of generating a mixed media stream from different types of input media streams including audio, video and text, input media streams of a first type having payload data elements and related identifiers, respectively, comprising the step:

aligning the input media streams of the first type in an identifier interface unit, according to a pre-specified relation between identifiers in the input media streams of the first type before generating the mixed media stream, wherein

the pre-specified relation between identifiers in the input media streams of the first type is matched, in an alignment unit, to a relation between identifiers in further input media streams of a second type used during generation of a further

mixed media stream from the input media streams of the second type, wherein the matching of relations between identifiers in the input media streams of the first type and further input media streams of the second type is achieved by

identifying an intersection in a pre-processing unit, between the input media streams of the first type and the further input media streams of the second type;

determining a relation between identifiers, using a calculation unit, in the further input media streams of the second type for those further input media streams which are comprised in the intersection;

aligning the input media streams of the first type using an aligning unit which are comprised in the intersection according to the relation of identifiers in the further input media streams of the second type, wherein the input media streams of the first type at a point in time are described by

$$I_s = [(q_1, n_1), (q_2, n_2), \dots, (q_s, n_s)]$$

with  $\{q_1, q_2, \dots, q_m\}$  as a set of input media streams and  $\{n_1, n_2, \dots, n_s\}$  as a set of identifiers in the input media streams at a point in time, the further input media streams of the second type at a point in time are described by  $I_M = [(s_1, i_1), (s_2, i_2), \dots, (s_m, i_m)]$  with  $\{s_1, s_2, \dots, s_m\}$  as a set of further input media streams and  $\{i_1, i_2, \dots, i_m\}$  as a set of identifiers in the further input media streams of the second type at the point in time, the intersection between the input media streams of the first type and the further input media streams of the second type is  $S_A = \{s_1, s_2, \dots, s_m\} \cap \{q_1, q_2, \dots, q_s\}$ , and the

relation between identifiers in the further input media streams of the second type for those further input media streams of the second type which are comprised in the intersection is determined by

$$I_s' = \bigcup_{j \in [1, \dots, s]} \{(q_j, n_j) \mid q_j \in S_A\}.$$

9. (Currently Amended) An apparatus for generating a mixed media stream from different types of input media streams including audio, video and text, input media streams of a first type having payload data elements and related identifiers of a second type, comprising:

an identifier interface unit for exchange of a pre-specified relation between identifiers in different input media streams, and

an alignment unit adapted to align the input media streams of the first type according to the pre-specified relation between identifiers in different input media streams of a second type before generating the mixed media stream, wherein the pre-specified relation is matched to a relation between identifiers in further input media streams of the second type used during generation of a further mixed media stream and that the matching of relations between identifiers in the input media streams of the first type and in the further input media streams of the second type is achieved by

a pre-processing unit adapted to identify an intersection between the input media streams of the first type and the further input media streams of the second type,

a calculation unit adapted to determine a relation between identifiers in the further input media streams of the second type for those further input media streams of the second type which are comprised in the intersection, and

an aligning unit adapted to align the input media streams of the first type which are comprised in the intersection according to the relation of identifiers in the further input media streams of the second type, wherein the input media streams of the first type at a point in time are described by  $I_s = [(q_1, n_1), (q_2, n_2), \dots, (q_s, n_s)]$  with  $\{q_1, q_2, \dots, q_s\}$  as the set of input media streams of the first type and  $\{n_1, n_2, \dots, n_s\}$  as a set of identifiers in the input media streams of the first type at a point in time, the further input media streams of the second type at a point in time are described by

$$I_M = [(s_1, i_1), (s_2, i_2), \dots, (s_m, i_m)] \text{ with } \{s_1, s_2, \dots, s_m\}$$

as a set of further input media streams of the second type and  $\{i_1, i_2, \dots, i_m\}$  as a set of identifiers in the further input media streams of the second type at the point in time,

the pre-processing unit is adapted to determine the intersection between the input media streams of the first type and the further input media streams of the second type according to

$$S_A = \{s_1, s_2, \dots, s_m\} \cap \{q_1, q_2, \dots, q_s\}, \text{ and}$$

the pre-processing unit is further adapted to determine the relation between identifiers in the further input media streams of the second type

Art Unit: 2416

for those further input media streams of the first type which are comprised

in the intersection on the basis of  $I_s' = \bigcup_{j \in [1, \dots, s]} \{(q_j, n_j) | q_j \in S_A\}$ .

### ***Conclusion***

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Sai-Ming Chan whose telephone number is (571) 270-1769. The Examiner can normally be reached on Monday-Thursday from 8:00 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

/Sai-Ming Chan/

Examiner, Art Unit 2416

/Brenda Pham/

Primary Examiner, Art Unit 2416